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IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

KRAIG J. BROWN,

Plaintiff,

v.

FLUOR CORPORATION, a Delaware
corporation, dba FLUOR ENTERPRISES,
INC.; and HEXCEL CORPORATION, a
Delaware Corporation,

Defendant.

PETITION FOR REMOVAL

Case No.:

Judge

Defendants Fluor Corporation and Fluor Enterprises, Inc. (hereinafter "Fluor"), by and through counsel, hereby petitions for removal of the above-entitled action from the Third Judicial District Court of Salt Lake County, State of Utah, to the United States District Court for the District of Utah. By this petition, Fluor gives notice of the removal of this action. This removal is made pursuant to 28 U.S.C. § 1441 and § 1446 and is proper and appropriate based upon the following:

1. On or about November 22, 2013, defendants Fluor were served with a Summons and

Complaint in an action entitled Kraig J. Brown, Plaintiff, v. Fluor Corporation, a Delaware corporation, dba Fluor Enterprises, Inc.; and Hexcel Corporation, a Delaware corporation, Civil No. 130907960 in the Third District Court of Salt Lake County, State of Utah. A copy of the Summons and Complaint are attached to this petition as Exhibit A

2. The Complaint alleges that plaintiff is a resident of Salt Lake County, State of Utah.

3. Fluor Corporation is a Delaware/foreign corporation authorized to do and doing business in the State of Utah, with its principal place of business in Dallas, Texas. Fluor Enterprises, Inc. is a California corporation with its principal place of business in Dallas, Texas

4. Removal of this action is proper under 28 U.S.C. § 1441(b). This Court has diversity jurisdiction over this matter as Fluor is a foreign corporation and the Plaintiff is a resident of the State of Utah. In addition, plaintiff has alleged damages in an amount in excess of \$75,000.

5. The co-defendant Hexcel is a foreign corporation and will file consent to this removal.

6. This Notice of Removal is filed within thirty (30) days after receipt of the Complaint, as required by 28 U.S.C. § 1441(b), and the removal is proper based upon diversity of citizenship of the parties. Accordingly, the requirements of 28 U.S.C. § 1441(a) are met.

DATED this 12 day of December, 2013.

STRONG & HANNI

By 

Paul M. Belnap

A.J. Sano

Attorneys for Fluor Corporation
dba Fluor Enterprises, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of December, 2013, a true and correct copy of the foregoing **Petition for Removal** was served by the method indicated below, to the following:

William J. Hansen
CHRISTENSEN & JENSEN, P.C.
15 West South Temple, Suite 800
Salt Lake City, UT 84101

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☒ e-mail
☐ CM/ECF System

John Edward Hansen
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& RASUMSEN
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☐ CM/ECF System
☒ e-mail

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☒ e-mail
☐ CM/ECF System

Rebecca Muggen

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